

JOSEPH P. RUSSONIELLO (CABN 44332)  
United States Attorney

BRIAN J. STRETCH (CABN 163973)  
Chief, Criminal Division

WADE M. RHYNE (CABN 216799)  
Assistant United States Attorney

1301 Clay Street, Suite 340-S  
Oakland, California 94612  
Telephone: (510) 637-3693  
Facsimile: (510) 637-3724  
E-Mail: wade.rhyme@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR 09-00868 CW
	)	
Plaintiff,	)	
	)	ORDER EXCLUDING TIME PURSUANT
v.	)	TO THE SPEEDY TRIAL ACT
	)	
AGUSTIN ORDAZ,	)	Date: August 11, 2010
a/k/a "Augustin Ordaz-Villagomez,"	)	Time: 10:00 a.m.
	)	Court: Hon. Donna M. Ryu
Defendant.	)	
	)	
	)	

The defendant, Agustin Ordaz, represented by Nicholas Reyes, and the government, represented by Wade M. Rhyme, Assistant United States Attorney, appeared before United States Magistrate Judge Donna M. Ryu on August 11, 2010 for a status conference in the above-entitled matter. Counsel for the defendant confirmed that he was continuing to investigate the case and needed more time to research the immigration consequences of the proposed pre-trial

ORDER EXCLUDING TIME  
No. CR 09-00868 CW

1 resolution of the matter. The parties again represented that they were optimistic the case would  
2 resolve in a negotiated disposition.

3 On that basis, the parties requested that the matter be continued to September 22, 2010  
4 before United States Magistrate Judge Laurel Beeler for status or change of plea. The parties  
5 jointly requested that time be excluded under the Speedy Trial Act between August 11, 2010 and  
6 September 22, 2010.

7 Based upon the representation of counsel and for good cause shown, the Court finds that  
8 failing to exclude the time between August 11, 2010 and September 22, 2010 would  
9 unreasonably deny the defendant continuity of counsel and would deny counsel the reasonable  
10 time necessary for effective preparation, taking into account the exercise of due diligence. 18  
11 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding  
12 the time between August 11, 2010 and September 22, 2010 from computation under the Speedy  
13 Trial Act outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C.  
14 § 3161(h)(7)(A). Therefore, IT IS HEREBY ORDERED that the time between August 11, 2010  
15 and September 22, 2010 shall be excluded from computation under the Speedy Trial Act. 18  
16 U.S.C. § 3161(h)(7)(A) and (B)(iv).

17  
18 DATED: 8/12/2010

  
HON. DONNA M. RYU  
United States Magistrate Judge